



PLANNING COMMITTEE: 17th December 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1337

LOCATION: 51 Axe Head Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 9 occupants

WARD: Delapre & Briar Ward

APPLICANT: Mr Collin Williamson
AGENT: N/A

REFERRED BY: Councillors J Davenport and E Roberts
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered to accord with national and local planning policy as it meets the aims and objectives of providing a wide variety of accommodation types in an existing urban area. The proposal is considered to be acceptable as the premises would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a local shopping centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H18 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 Permission is sought for a change of use from a 5 bedroom dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Sui Generis) for 9 people in 5 bedrooms. Parking would be on-street.
- 2.2 No external alterations to the building are proposed.

3. SITE DESCRIPTION

- 3.1 The application site comprises a 2.5 storey, mid-terraced, 5 bedroom property on Axe Head Road. It is located in an existing residential area which was designed and constructed as a planned residential estate in the second part of the 20th century. The layout of the surrounding area is that of a 'Radburn' estate, with parking courtyards, houses backing onto rather than facing the highway, significant levels of landscaping, footpaths separate from roads and various sizes of dwellings adjoining each other; the adjoining dwelling to the south is a bungalow, whereas the adjoining dwelling to the north is 2 storeys.
- 3.2 The property has a kitchen, diner and living room at ground floor, a living room and 2 bedrooms at first floor and 3 bedrooms and a bathroom at second floor. To the front of the property the front door abuts the footpath and to the rear there is a private garden which is accessed from a shared parking courtyard.
- 3.3 The site is 550m away from the local centre which provides a convenience store and takeaway. Nearby bus stops are located a short walk from the dwelling on Hunsbarrow Road.
- 3.4 The site is within a low flood risk area (Flood Zone 1)

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Section 12 – seeks to achieve well designed places

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density and Mix and Type of Dwellings

Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale and appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019
Houses in Multiple Occupation SPD 2019

Proposals for HIMO should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMO within a 50 metre radius
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor J Davenport** - raises objection on the basis that application property will exacerbate parking issues. Also raises issues regarding noise and litter. Calls in the application for consideration by the Planning Committee.
- 6.2 **Councillor E Roberts** - raises concerns with parking and manoeuvring. Also refers to safety of occupants of the property due to the number of residents proposed.
- 6.3 **Highway Authority (NCC)** - objection received. This development will increase the demand further on parking from 3 to 5 spaces required off-street, thereby increasing the need for an additional 2 off-street parking spaces. The applicant should therefore submit a Parking Beat Survey to take account of the lack of parking provision. There is no objection to the number of bicycle parking spaces proposed.

- 6.4 **Private Sector Housing (NBC)** - so long as the property meets the requirements of the Council's 'Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation', the property is potentially licensable for 9 persons and 5 households.
- 6.5 **Objections raised from neighbouring and surrounding properties**, including a petition with 15 signatures, are summarised below:
- Increase in residents means increased noise, litter and disturbance from the property
 - Inadequate parking in an already overcrowded street
 - Due to existing narrow roads the increase in the amount of parking could cause problems for the emergency services accessing this or surrounding properties.

7. APPRAISAL

Principle of development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 7.2 There are no other known HIMOs within a 50 metre radius of the site. As such, this proposal will not breach the 10% concentration level required by Principle 1 of the Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD), which was adopted in November 2019.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 9 people would ensure over-development does not occur. Private Sector Housing have not objected to the proposal and the room sizes, amenities and facilities all accord with the provisions of the HIMO SPD. All bedrooms would be served by adequate outlook and light.

Highways/Parking

- 7.4 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop, with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.5 No parking beat survey was submitted with the application. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 15 minutes (Stagecoach Bus Number 3 to Town Centre and Mere Way). The site is also located within 550m of local facilities in Briar Hill. In this regard the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations.

- 7.6 Within such areas the Northampton Parking Standards SPD recommends that storage space should be provided which is accessible to cycle users. The applicant has confirmed that there will be cycle storage for a minimum of 6 bicycles, but no details have been submitted for the cycle storage location or structure. In order to ensure the proposal is in compliance with this principle of the SPD, a condition will be attached requiring further details.
- 7.7 In this case, the Highway Authority have raised objections to the application stating that the development would increase the demand for parking and would increase dangerous parking practices and the impact would be severe.
- 7.8 The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 2 additional spaces than the current approved use, as a 5 bedroom dwelling would normally require 3 parking spaces.
- 7.9 However, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.10 In view of the recent appeal decisions and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.13 Details have been submitted for refuse storage, which are deemed acceptable. A condition has been recommended to retain the arrangement and provision. Whilst comments have been received from neighbouring occupants that the development will result in increased litter it is considered that the proposed location for refuse storage is suitable.

Amenity

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8. CONCLUSION

- 8.1 The proposed development not lead to significant adverse impacts on neighbouring amenity and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

9. CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 00001.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- 3) The development hereby permitted shall be occupied by a maximum of nine residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

- 4) Facilities for the refuse and recycling storage as stated in the Design and Access Statement and shown on approved plan 00001 as 'STORE' shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 5) Prior to first use of the development hereby approved, facilities for cycle storage for a minimum of six bicycles as stated in the submitted Design and Access Statement shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented prior to the use hereby approved commences and shall be retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

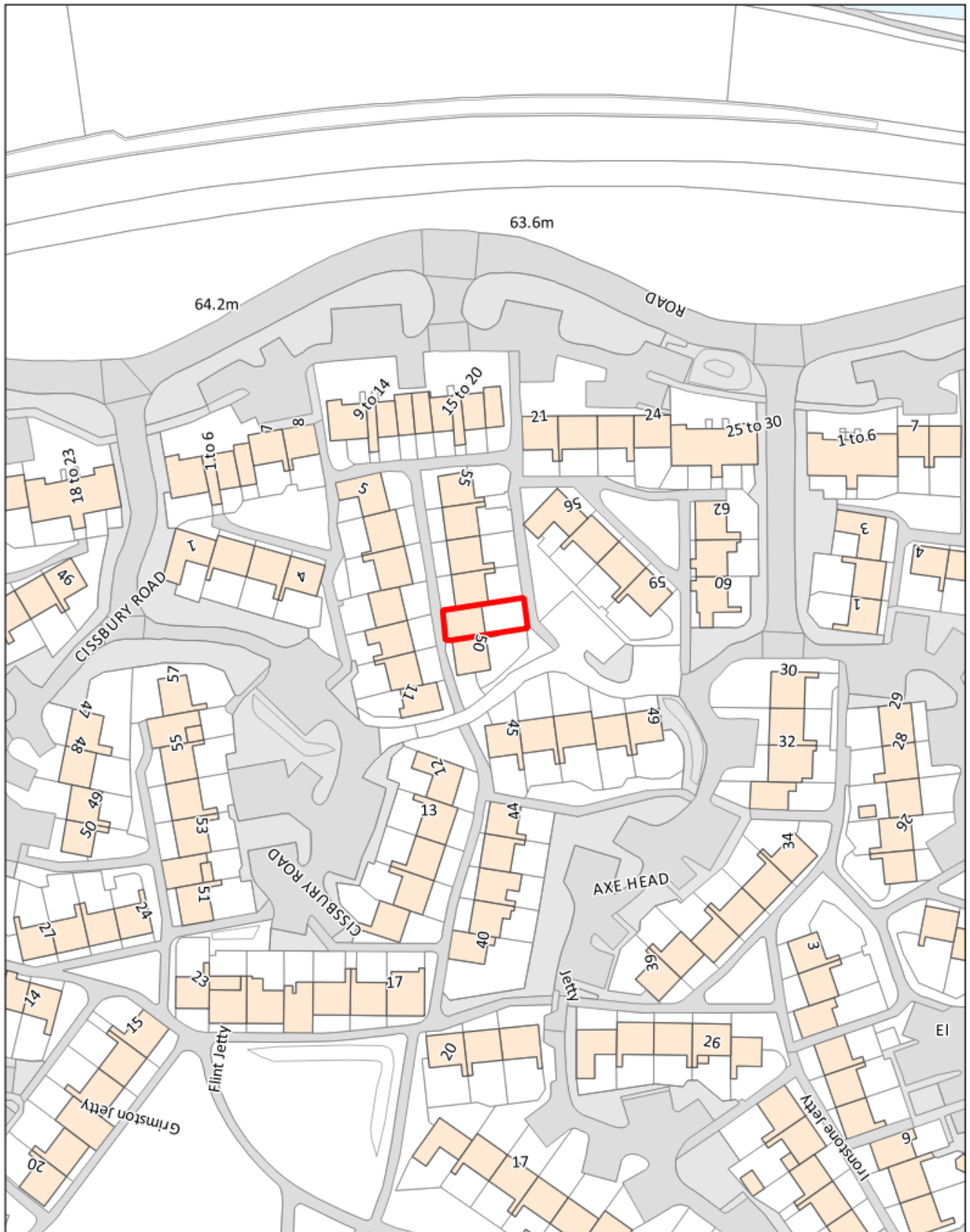
- 10.1 None relevant.

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL chargeable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **51 Axe Head Road**

© Crown copyright and database rights 2019 Ordnance Survey licence no. 100019655

Date: 02-12-2019

Scale: 1:1,000

Drawn by: -----